

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES
October 2, 2006

PRESENT: Tom Cowan, Chairman
Terry Janicz
John Olaf
Andy Kelkenberg
Rick Meahl
Don Hoefler
Christine Falkowski, Recording Clerk
Rebecca Baker, Zoning Officer

ABSENT: John Potera

The Planning Board meeting was called to order by Tom Cowan at 7:30PM.

(1) Lot Minor Subdivision – Downey Road

Roger and Jane Downey and their buyer appeared. They would like to split off a 200' x 668' lot (three acres) from their 34 acres on Downey Road. A complete application was submitted including a drainage plan for the new lot. This lot will drain to the road ditch. Wendel Duchscherer reviewed the site plan. Their maps indicate wetlands located on the northeast corner of the parent parcel. Wendel prepared a memo dated October 2, 2006 stating that should any future development of the parent parcel occur, the impact of the wetlands in relation to the proposed project must be evaluated by their office. If necessary, wetland delineation may need to be completed and shown on the parcel map. The Board recommended to the Downey's that they order delineation now from the Army Corps of Engineers if they are interested in any future development. This is a free service, but can take up to two years to have completed. The engineering fee will be billed to the Downey's and a copy of these minutes will be provided.

Terry made a motion to approve the subdivision with the condition that wetland delineation of the parent parcel be included in future subdivision applications, seconded by Don:

Tom Cowan	-Aye
Terry Janicz	-Aye
John Olaf	-Aye
Andy Kelkenberg	-Aye
Rick Meahl	-Aye
Don Hoefler	-Aye

Sign Permit – 11234 Main Road – Steve Baldo Chevrolet

Robert Chavanne, Service Manager, appeared. They would like to erect an illuminated 22 sq. ft. fascia sign on the eastern end of their building saying "Body Shop". Lit signs in the Overlay District are not allowed without Planning Board approval. There are numerous signs at this sight. The "Body Shop" sandwich board temporary sign in the ROW will be removed. The other temporary signs and banners will be addressed by the Code Enforcement Officer.

John O. made a motion to approve the sign permit with the condition that the sign be lit only from one hour before sunup to one hour after closing, seconded by Rick:

Tom Cowan	-Aye
Terry Janicz	-Aye
John Olaf	-Aye
Andy Kelkenberg	-Aye
Rick Meahl	-Aye
Don Hoefler	-Aye

Minutes Review

Andy Kelkenberg motioned to approve the minutes of September 11, 2006, seconded by Terry:

Tom Cowan	-Aye
Terry Janicz	-Aye
John Olaf	-Aye
Andy Kelkenberg	-Aye
Rick Meahl	-Aye
Don Hoefler	-Aye

(1) Lot Minor Subdivision – Moore Road (tabled on 11/21/05)

Peter Kyzmir appeared. He had applied for a one lot minor subdivision last year for a 13-acre parcel that fronts on Moore Road and on Fletcher Road. The project was tabled until a jurisdictional determination was received from the Army Corps of Engineers. The following documents were reviewed:

May 22, 2006 - Steve Doleski, NYSDEC, sent letter stating State wetlands are not shown on proposed site, and that Connie Adams should be contacted for delineation. Also, Federal wetlands were identified on and off the project site, and the Army Corps should be contacted regarding a potential permit. Also, the entire site is located within 100-year floodplain, and the Town should determine whether the project is appropriate and feasible and that proper flood proofing measures should be required. The site is located over a confined and unconfined principal aquifer and development should be considered carefully with respect to effects on the groundwater resources.

July 28, 2006 - Connie Adams, NYSDEC, sent letter stating she agrees with the delineation done by Leader Environmental Engineering (November 2005). Unfortunately, it does not indicate the type (State or Federal) of wetlands identified in each area.

August 7, 2006 - Brad Schaeffer of the Army Corps of Engineers sent letter stating that a six-acre parcel was reviewed. Confirmed that Federal wetlands exist, that he understands there is no intent to impact them at this time and that the wetland boundary shown on the drawings will remain valid for five years from date of letter. The wetland on the subject parcel is part of a tributary system to a navigable waterway of the U.S.

The Board agreed that the type of wetlands in each area need to be defined in writing. Wendel Duchscherer reviewed the project and prepared a memo dated October 2, 2006 with five comments (see attached). Mr. Kyzmir will forward this memo to Schutt Engineering, and will request to meet with the Board again after all items have been addressed.

Dollar General

The site has improved. The yellow tape is gone, the sign has been landscaped, and the ditch is mowed. Three drop-in curb barriers were recommended for protection of the sodded areas. A letter was sent September 15th requesting that this be done by October 15th.

Route 5 Rezoning

Tom asked Christine to paraphrase the August 28th meeting on this topic for the Board. The first 45 minutes of the October 16th meeting will be devoted to this issue.

Tom Cowan stated that he gave his notice to the Town Board that he will be resigning as Planning Board Chairman effective December 31, 2006.

Don made a motion to adjourn the meeting at 9:20PM, seconded by Rick and all approved.

Respectfully submitted,

Christine Falkowski
Recording Clerk